

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 MARK NEMETH,

4 Plaintiff

5 v.

6 CLARK COUNTY PUBLIC DEFENDER
7 OFFICE, et al.,

8 Defendants

Case No.: 2:22-cv-00987-APG-NJK

**Order Accepting Report and
Recommendation and Dismissing Case**

[ECF No. 4]

9 On July 19, 2022, Magistrate Judge Koppe recommended that I dismiss this case because
10 plaintiff Mark Nemeth's complaint failed to state a claim and amendment would be futile. ECF
11 No. 4. Nemeth did not object. Thus, I am not obligated to conduct a de novo review of the
12 report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to "make a de novo
13 determination of those portions of the report or specified proposed findings to which objection is
14 made"); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) ("the
15 district judge must review the magistrate judge's findings and recommendations de novo *if*
16 *objection is made*, but not otherwise" (emphasis in original)).

17 I THEREFORE ORDER that Magistrate Judge Koppe's report and recommendation
18 **(ECF No. 4) is accepted**, and plaintiff Mark Nemeth's complaint is DISMISSED without
19 prejudice. The clerk of court is instructed to close this case.

20 DATED this 9th day of August, 2022.

21 

22 ANDREW P. GORDON
23 UNITED STATES DISTRICT JUDGE